

BOARD OF SELECTMEN  
November 15, 2004  
Meeting Hall – Town Hall

SELECTMEN PRESENT: Peter Charter, Dennis Frawley, Dennis Milanovich, A. Leo Miller, Michael Stupinski and Nancy Way

SELECTMAN ABSENT: Mark Leighton

OTHERS PRESENT: Public Works Director: P. Michaud; Building Official: P. Williams; Human Services Director: D. Crayton; Human Services Commission Chair: Y. Cantor; EVFD: M. Varney and other members; CLFD: C. Pippin, D. Wright and other members; IWA: K. Braga, M. Wheeler; Town Planner: M. Davis, Hartford Courant Reporter: R. Labossiere; North Central News Reporter: M. Van Kuren

I. CALL TO ORDER:

First Selectman Milanovich called the meeting of the Board of Selectmen (BOS) to order at 7:40 p.m.

II. CITIZENS' FORUM: No one came forward.

III. APPROVAL OF MINUTES:

A. October 6, 2004 Board of Selectmen Special Meeting

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE OCTOBER 6, 2004 BOARD OF SELECTMEN SPECIAL MEETING MINUTES.

B. October 18, 2004 Special Town Meeting:

MOVED (WAY), SECONDED (CHARTER) AND PASSED [MILLER ABSTAINED] TO APPROVE THE OCTOBER 18, 2004 SPECIAL TOWN MEETING MINUTES.

C. October 18, 2004 Board of Selectmen Regular Meeting:

MOVED (WAY), SECONDED (CHARTER) AND PASSED [MILLER ABSTAINED] TO APPROVE OCTOBER 18, 2004 BOARD OF SELECTMEN REGULAR MEETING MINUTES.

## IV. UNFINISHED BUSINESS:

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADD TO OLD BUSINESS, ITEM C, CLFD FIRE TRUCK.

## A. Conservation Commission Status – Shawn Costello, Chairman

Shawn Costello was not in attendance.

## B. Personnel Rules and Regulations Revisions – Final Draft

Mr. Milanovich stated that staff review of the Personnel Rules and Regulations is almost complete. He will forward their comments to the BOS within the next couple of weeks. This item was tabled to the December 13, 2004 meeting.

## C. Crystal Lake Fire Department (CLFD) Fire Truck

Mr. Wright distributed documentation on the bid selection for the 2,000 gallon, 6-man cab, engine tanker for the CLFD. He explained that the CLFD has spent a great deal of time reviewing all the bid specifications, requesting deductions from the bidders and visiting other fire departments with similar apparatus. Mr. Wright stated that 4 Guys Fire Apparatus has been selected and reviewed the financing options.

Mr. Milanovich stated that this engine tanker does not match up with the fire service analysis study conducted in 2003. Mr. Wright stated that the study specifies a multiple-use apparatus is needed and this engine tanker will provide such use. There was discussion regarding other truck options and the costs. Mr. Wright stated that he is convinced the proposed truck best meets the needs of the Town.

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO FORWARD TO THE BOARD OF FINANCE THE PURCHASE/LEASE OF THE 2,000 GALLON, 6-MAN CAB, ENGINE TANKER, AS RECOMMENDED BY THE CLFD.

## V. NEW BUSINESS:

MOVED (FRAWLEY) SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADD TO NEW BUSINESS, ITEM P. OPEN SPACE LAND ACQUISITION – PORTER ROAD.

## A. Tax Refunds/Abatements:

MOVED (FRAWLEY), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$5,734.96 AND TAX ABATEMENTS IN THE AMOUNT OF \$431.80, AS RECOMMENDED BY THE TAX COLLECTOR IN THE REFUNDS/ABATEMENTS STATEMENT.

## B. DEP Consent Order – Authorization to Sign:

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO AUTHORIZE THE FIRST SELECTMAN TO SIGN THE CONSENT ORDER BETWEEN THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE TOWN OF ELLINGTON CONCERNING UNPERMITTED TRANSFER STATION OPERATION AT THE PUBLIC WORKS GARAGE.

C. Approve 2005 Board of Selectmen Meeting Schedule:

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE 2005 BOARD OF SELECTMEN MEETING SCHEDULE, AS SUBMITTED.

D. Approve Revised Job Descriptions: Deputy Tax Collector:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE REVISED JOB DESCRIPTION FOR DEPUTY TAX COLLECTOR, AS SUBMITTED, PENDING UNION CONCURRENCE.

E. Gasek Farms Subdivision, Phase I:

1. Accept Public Improvements:

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ACCEPT ALL THE PUBLIC IMPROVEMENTS OF THE GASEK FARMS SUBDIVISION, PHASE I (INCLUDING ROADS AND RIGHT-OF-WAYS) AND THAT THE SUBDIVISION BOND IN THE AMOUNT OF \$81,000 AND THE DETENTION BASIN BOND IN THE AMOUNT OF \$26,000 BE RELEASED, UPON THE POSTING OF MAINTENANCE BONDS IN THE AMOUNTS OF \$81,000 AND \$4,000 RESPECTIVELY, AS RECOMMENDED BY THE TOWN ENGINEER AND AS APPROVED BY PLANNING AND ZONING COMMISSION.

2. Require Maintenance Bond for Detention Basin:

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, THAT A ONE-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$4,000 BE POSTED FOR THE GASEK FARMS SUBDIVISION, PHASE I DETENTION BASIN, AS RECOMMENDED BY TOWN ENGINEER.

3. Waive Maintenance Bond for Roads and Drainage:

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO WAIVE THE \$81,000 MAINTENANCE BOND ON THE ROADS AND DRAINAGE OF THE GASEK FARMS SUBDIVISION PHASE I, AS RECOMMENDED BY TOWN ENGINEER.

F. Update on Status of Plan of Conservation and Development

G. Update on Status of Planning & Zoning Regulations Revisions

Items F. & G. were discussed together.

Mr. Davis reported that the Planning & Zoning Commission will begin discussion on how to proceed to update the Plan of Conservation and Development and Zoning Regulations at their November 22, 2004 meeting. He anticipates that they will need special meetings and workshops to get started. Mr. Milanovich suggested that the Commission prepare a budget and schedule to support funding in the upcoming budget. Mr. Davis agreed. This item was tabled to the December 13, 2004 meeting.

#### H. Fire Hydrants

Mr. Milanovich stated that the EVFD has identified 10 hydrants in Town that are in need of replacement. The Water Company has agreed to replace 3 per year at no charge to the Town and has requested the Town provide the locations of the hydrants. Mr. Varney explained that the Town is not getting ISO credit because steamer fitting connections are missing or hydrant inspections are not complete and that these replacements will help bring up the rating. Mr. Charter asked who is responsible for the maintenance and inspection of the fire hydrants and who will check to see if the work is getting done. Mr. Michaud responded that the Department of Public Utilities is responsible for maintenance and inspections. Mr. Varney stated that the Fire Department is willing to check the inspections and will obtain a maintenance schedule. Mr. Charter requested that this item be placed on the next agenda for an update.

MOVED (FRAWLEY) SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADD TO NEW BUSINESS, ITEM Q. CREATE SUB-COMMITTEE TO IMPLEMENT EMERGENCY SERVICES EVALUATION.

#### Q. Create Sub-Committee to Implement Emergency Services Evaluation

Mr. Milanovich suggested the BOS create a sub-committee to begin implementation of the Emergency Services Evaluation completed in August 2003 to include two members of the BOS, two members of the BOF, two members of the CLFD, two members of the EVFD and two members from EVAC.

MOVED (CHARTER), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO CREATE A SUB-COMMITTEE TO BEGIN IMPLEMENTATION OF THE EMERGENCY SERVICES EVALUATION TO INCLUDE TWO MEMBERS OF THE BOS, TWO MEMBERS OF THE BOF, TWO MEMBERS OF THE CLFD, TWO MEMBERS OF THE EVFD AND TWO MEMBERS FROM EVAC.

#### I. Re-establish Budget Advisory Committee:

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO RE-ESTABLISH THE BUDGET ADVISORY COMMITTEE FOR THE 2005 BUDGET SEASON.

#### J. Constables Collective Bargaining Agreement:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO RATIFY THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF ELLINGTON AND ELLINGTON POLICE UNION, LOCAL #2693, COUNCIL #15, AFSCME, AFL-CIO FOR THE PERIOD JULY 1, 2003 THROUGH JUNE 30, 2006.

#### K. Salary Upgrade – Maureen Lowe, Assistant Police Support Administrator:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE SALARY INCREASE OF \$.79 PER HOUR FOR MAUREEN LOWE, ASSISTANT POLICE SUPPORT ADMINISTRATOR, EFFECTIVE JULY 1, 2004, AS RECOMMENDED BY SGT. KONIECZNY AND PENDING UNION CONCURRENCE.

Mr. Milanovich explained that it is past practice that the Assistant Police Support Administrator is paid the same rate as the Constables and this increase will match the salary increase awarded in the new Police Union Contract.

- L. Request Upgrade for Youth Services Coordinator/Salary Increase/Approve Job Description.
- M. Request Salary Increase for Sr. Center Director/Approve Revised Job Description:

Items L. & M. were discussed together.

Ms. Crayton referenced her memo requesting an upgrade to the Youth Services Coordinator and Senior Center Director positions. She stated that both individuals in these positions provide seamless services – connecting the community through programs, commitment and dedication. Mr. Cantor stated that the Human Services Commission strongly supports the salary increase and title change. He noted that the salaries are competitive with other Towns.

Mr. Milanovich stated that he supports the proposed increases and is impressed with the quality and dedication of these individuals. Mr. Stupinski agreed.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO UPGRADE THE POSITION OF DIANE LASHER-PENTI FROM YOUTH SERVICES COORDINATOR TO YOUTH SERVICES DIRECTOR AT AN ANNUAL SALARY OF \$41,000, EFFECTIVE JANUARY 1, 2005, AS RECOMMENDED BY THE HUMAN SERVICES DIRECTOR AND TO APPROVE THE JOB DESCRIPTION FOR THIS POSITION, AS SUBMITTED AND PENDING UNION CONCURRENCE.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE SALARY INCREASE FOR ERIN GRAZIANI, TO \$41,000 PER YEAR, EFFECTIVE JANUARY 1, 2005, AS RECOMMENDED BY THE HUMAN SERVICES DIRECTOR AND TO APPROVE REVISED JOB DESCRIPTION FOR THIS POSITION, AS SUBMITTED AND PENDING UNION CONCURRENCE.

- N. Mutual Aid - Building Officials/Inspections Memo of Understanding:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNS OF STAFFORD, SOMERS AND ELLINGTON REGARDING MUTUAL AID SERVICES OF BUILDING OFFICIALS AND TO AUTHORIZE THE FIRST SELECTMAN TO EXECUTE DOCUMENTS TO IMPLEMENT THIS PLAN, PENDING TOWN ATTORNEY REVIEW.

- O. Grant Permanent Status – Kevin Gambacorta, DPW:

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO GRANT PERMANENT STATUS TO KEVIN GAMBACORTA, LABORER II FOR THE PUBLIC WORKS DEPARTMENT, AS RECOMMENDED BY THE PUBLIC WORKS DIRECTOR.

P. Open Space Land Acquisition – Porter Road:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO AUTHORIZE THE FIRST SELECTMAN TO EXECUTE SALE AND PURCHASE AGREEMENT FOR THE PURCHASE OF PARCEL LOCATED ON PORTER ROAD, DEPICTED ON ASSESSOR'S MAP AS 144-008-0001, A TOTAL OF APPROXIMATELY 5.2 ACRES FOR OPEN SPACE PURPOSES FOR A TOTAL PURCHASE PRICE OF \$9,000, 44% OF WHICH WILL BE REIMBURSED THROUGH STATE GRANT, PENDING PLANNING & ZONING APPROVAL.

VI. ADMINISTRATIVE REPORTS: So noted.

VII. SELECTMEN COMMITTEE REPORTS:

A. Personnel Committee

1. Resignations:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ACCEPT THE RESIGNATION OF JANE HARRINGTON FROM THE CULTURAL ARTS COMMISSIONS.

2. Recommended Appointments:

MOVED (FRAWLEY), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO REAPPOINT JOSEPH SNYDER TO THE AD HOC BUDGET ADVISORY COMMITTEE THROUGH THE 2005 BUDGET SEASON.

VII. SELECTMEN LIAISON REPORTS: None.

IX. FIRST SELECTMAN'S REPORT: None.

X. CORRESPONDENCE:

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADD TO CORRESPONDENCE, ITEM C. SEPTEMBER 27, 2004 LETTER FROM ELLEN ANDREWS RE: LETTER OF APPRECIATION/DORIS CRAYTON.

A. October 28, 2004 Memo from Inland Wetlands Agency

B. November 5, 2004 Memo from Dennis Milanovich to Inland/Wetlands Agency

Items A. & B. were discussed together.

Mr. Braga came forward to voice his concerns with the Bruce Luginbuhl Inland Wetlands Agency (IWA) application, noting his major concern is that Mr. Luginbuhl abused the system. He distributed a chronology prepared by Mr. Davis regarding the Bruce Luginbuhl application. Mr. Braga cited problems with communications with the Planning Department and the First Selectman. Mr. Braga asked the BOS for assurance that communication will improve between the departments.

Ms. Wheeler stated that Mr. Luginbuhl gave the IWA the impression that Mr. Milanovich gave him permission to proceed.

Mr. Milanovich stated that he has no illusion that he has that authority. He referenced remarks made by Mr. Braga indicating that for the past three years Mr. Luginbuhl's comments are not always 100% accurate and questioned why the IWA would take this one comment verbatim. Mr. Milanovich stated that he did not tell Mr. Luginbuhl what to do but rather explained his options and advised Mr. Luginbuhl to get professionals to help him.

- C. September 27, 2004 Letter from Ellen Andrews re: Letter of Appreciation/Doris Crayton. So noted.

XI. ADJOURNMENT:

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 9:34 P.M.

Submitted by \_\_\_\_\_ Approved by \_\_\_\_\_